

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

JONATHAN DAVID DREW,	§	
TDCJ-CID #1019606,	§	
Petitioner,	§	
	§	
v.	§	Civil Action No. H-13-0059
	§	
RICK THALER,	§	
Director, Texas Department of	§	
Criminal Justice, Correctional	§	
Institutions Division,	§	
Respondent.	§	

**RESPONDENT'S UNOPPOSED FIRST MOTION FOR  
EXTENSION OF TIME WITH BRIEF IN SUPPORT**

This is a habeas corpus case brought by a Texas state prisoner, Jonathan David Drew, under 28 U.S.C. § 2254. By order of the Court, Respondent Rick Thaler (the Director) has until March 11, 2013, to respond to the petition. This motion for extension of time is being filed on March 11, 2013, and is thus, timely filed.

The Director requests an extension due to the undersigned's present caseload and the time required to obtain Drew's records. Drew's state court records were not received by this office until February 15, 2013, even though they were promptly ordered. Since that time, the undersigned has filed three responsive pleadings in other federal habeas cases, and begun drafting another. Furthermore, the undersigned currently has nine other habeas cases that require a response, as well as a state appeal. Consequently,

additional time is required to review the records and prepare a responsive pleading in this case.

This is the Director's first request for an extension of time in this cause. This request is not designed to harass Drew, nor to unnecessarily delay these proceedings, but to ensure that Petitioner's federal habeas corpus claims are properly addressed. Accordingly, the Director respectfully requests an extension of thirty days, up to and including April 10, 2013, to file his answer.

### CONCLUSION

The Director respectfully requests that his First Motion for Extension of Time be granted.

Respectfully submitted,

GREG ABBOTT  
Attorney General of Texas

DANIEL T. HODGE  
First Assistant Attorney General

DON CLEMMER  
Deputy Attorney General  
for Criminal Justice

EDWARD L. MARSHALL  
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s/ Craig W. Cospers  
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ATTORNEYS FOR RESPONDENT

### **CERTIFICATE OF CONFERENCE**

I, Craig W. Cospers, Assistant Attorney General of Texas, do hereby certify that opposing counsel, Randy Schaffer, confirmed by electronic mail that he is unopposed to this motion.

s/ Craig W. Cospers  
CRAIG W. COSPER  
Assistant Attorney General

### **CERTIFICATE OF SERVICE**

I do hereby certify that on March 11, 2013, I electronically filed the foregoing pleading with the Clerk of the Court for the U.S. District Court, Southern District of Texas, using the electronic case-filing system of the Court. The electronic case-filing system sent a "Notice of Electronic Filing" to the following attorney of record, who consented in writing to accept this notice as service of this document by electronic means:

Randy Schaffer  
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s/ Craig W. Cospers  
CRAIG W. COSPER  
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